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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/775,517	02/09/2004	Don Michael	200314165	1062		
22879	7590 08/24/2005	EXAMINER				
HEWLETT	PACKARD COMPA	TRINH, MICH	TRINH, MICHAEL MANH			
P O BOX 272400, 3404 E. HARMONY ROAD						
INTELLECT	UAL PROPERTY ADM	ART UNIT	PAPER NUMBER			
FORT COLL	INS, CO 80527-2400	2822				
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DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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1)⊠ Responsive to communication(s) filed on <u>09 February 2004.</u> 2a)□ This action is FINAL. 2b□ This action is non-final. 3]□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)☑ Claim(s) <u>1-56</u> is/are pending in the application. 4a) Of the above claim(s) <u>is/are</u> withdrawn from consideration. 5)□ Claim(s) <u>is/are</u> allowed. 6)□ Claim(s) <u>is/are</u> objected to. 8)☑ Claim(s) <u>is/are</u> objected to. 8)☑ Claim(s) <u>is/are</u> objected to. 8)☑ Claim(s) <u>is/are</u> objected to by the Examiner. 10)□ The specification is objected to by the Examiner. 10)□ The drawing(s) filed on <u>is/are</u> : a)□ accepted or b)□ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)□ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12)□ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)□ All b)□ Some * c)□ None of: □ Certified copies of the priority documents have been received. 2.□ Certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.			Арр	lication No.	Applicant(s)				
Michael Trinh Ze22			10/7	75,517	MICHAEL ET AL.				
- The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Exercition of time may be available under the provisors of 17 CRT 1.13(6). In no event, however, may a righy be timely filled in the pathod for mely be specified above the less than thirty (30) days, we largely within the statutory minimum of thirty (30) days, well be considered fremly. If No period to reply specified above the tensition of 17 CRT 1.13(6). In no event, however, may a righy be timely filled in the period for reply specified above the tensition of the communication of thirty (30) days, well be considered fremly. If No period for reply specified are reply with the statutory price and the period of this communication. Period for the period of the communication of the communication of the period of the communication of the communication. Period of the communication of the communication and period of the communication of the communication. Period of the communication of the communication and period of the communication of the communication. Period of the communication of the communication and period of the communication of the communication. Period of the communication of the communication. Period of the communication of the communication. Period of the communication. Period of the communication of the communication. Period of the communication. Period of the communication of the communication. Period of the period of		Onice Action Summary	Exa	niner	Art Unit				
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THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be waited under the provision of 37 CPR 1.13(6). In no event, however, may a reply be timely filed after 5X (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum states or period within the statutory interiment of terry (20) days will be considered firely. If NO period for reply is specified above, the maximum stateshory period will apply and will explice X(6) MONTHS from the mailing date of this communication for reply is specified above, the maximum stateshory period will apply and will explice X(6) MONTHS from the mailing date of this communication, even if timely filed, may reduce any events plants turn adjustment. Sets 97 CPR 1.70(4): Status 1) Responsive to communication(s) filed on <u>09 February 2004.</u> 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) <u>1-56</u> is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b)									
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12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)	11)[The oath or declaration is objected to by	the Examine	er. Note the attached O	ffice Action or form P	ГО-152.			
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Application/Control Number: 10/775,517

Art Unit: 2822

Part III DETAILED ACTION

Election/Restriction

- 1. Restriction to one of the following inventions is required under 35 U.S.C. § 121:
 - I. Claims 1-42,54-56, drawn to a device, classified in Class 257, subclass 414.
 - II. Subgroup a) Claims 51-53, drawn to a first method for forming a semiconductor device, classified in Class 438, subclass.
 - Subgroup b) Claims 43-50, drawn to a second method for forming a semiconductor device, classified in Class 438, subclass 48.

The inventions are distinct, each from the other because of the following reasons:

Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (M.P.E.P. § 806.05(f)). Unpatentability of the group I invention would not necessarily imply unpatentability of the group II invention, since the device of the group I invention could be made by process material different than those/that of the group II invention. For example: sealing micro-electronic package by having the same first and second temperature and pumping to inject adhesive into the package.

Subgroup a) and Subgroup b) inventions are species and distinct, each from the other because: the method of Subgroup a) is at least drawn to sealing a micro-electromechanical package by lowering the package to a second lower temperature; while, the method of Subgroup b) is differently drawn to forming a package with an inner enclosure having an inner cavity. There is no generic claim for Subgroup a) and Subgroup b). If method Group II is elected, Applicant is further required to elect Subgroup a) or Subgroup b), consideration and examination.

Because these inventions are distinct for the reasons given above and have acquired a separate status as shown by the above different classifications and as given in the above examples, the fields of search are not co-extensive and separate examination would be required, restriction for examination purposes as indicated is proper.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Art Unit: 2822

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael M. Trinh whose telephone number is (571) 272-1847. The examiner can normally be reached on M-F: 8:30 Am to 5:00 Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amir Zarabian can be reached on (571) 272-1852. The fax phone numbers for the organization where this application proceeding is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

-Oasc-

Michael Trinh Primary Examiner